STATUTORY INSTRUMENTS

1972 No. 1827

LANDLORD AND TENANT

The Rent Book (Forms of Notice) Regulations 1972

Made - - -	*28th November* 1972
Laid before Parliament	*8th December* 1972
Coming into Operation	*1st January* 1973

The Secretary of State for the Environment, in exercise of powers conferred by section 2(1) of the Landlord and Tenant Act 1962(**a**) (as amended by section 117(2) of, and Schedule 15 to, the Rent Act 1968(**b**)) and now vested in him (**c**), and in exercise of all other powers enabling him in that behalf, hereby makes the following regulations:—

1. These regulations may be cited as the Rent Book (Forms of Notice) Regulations 1972 and shall come into operation on 1st January 1973.

2.—(1) In these regulations, unless the context otherwise requires, "the Act" means the Landlord and Tenant Act 1962, "the Rent Act" means the Rent Act 1968, and—

"controlled tenancy" shall be construed in accordance with section 7 of the Rent Act;

"protected tenancy" shall be construed in accordance with section 1 of the Rent Act;

"regulated tenancy" shall be construed in accordance with section 7 of the Rent Act;

"statutory tenancy" shall be construed in accordance with section 3 of the Rent Act.

(2) The Interpretation Act 1889(**d**) shall apply for the interpretation of these regulations as it applies for the interpretation of an Act of Parliament.

3. Every rent book or other similar document provided in pursuance of section 1 of the Act (provision of rent book or other similar document where the rent is payable weekly) shall, if the premises are a dwelling-house let on or subject to a protected or statutory tenancy which is a controlled tenancy, contain a notice, in the form set out in Part I of the Schedule to these regulations, or in a form substantially to the same effect, of the matters referred to in the form so set out.

(**a**) 1962 c. 50.
(**b**) 1968 c. 23.
(**c**) S.I. 1970/1681 (1970 III, p. 5551).
(**d**) 1889 c. 63.

4. Every rent book or other similar document provided in pursuance of section 1 of the Act shall, if the premises are a dwelling-house let on or subject to a protected or statutory tenancy which is a regulated tenancy, contain a notice, in the form set out in Part II of the Schedule to these regulations, or in a form substantially to the same effect, of the matters referred to in the form so set out.

5. Every rent book or other similar document provided in pursuance of section 1 of the Act shall, if the premises are occupied by virtue of a contract to which Part VI of the Rent Act (furnished lettings) applies, contain a notice, in the form set out in Part III of the Schedule to these regulations, or in a form substantially to the same effect, of the matters referred to in the form so set out.

6. The Rent Book (Forms of Notice) Regulations 1965(**a**) are hereby revoked.

SCHEDULE

PART I

RENT BOOK FOR CONTROLLED TENANCY

Form of notice to be included in every rent book or other similar document used in connexion with a controlled tenancy under which the rent is payable weekly.

INFORMATION FOR TENANT

1. Address of premises .....

2. Name and address of landlord .....

3. Name and address of agent (if any).....

*4. The inclusive rent is £..... per week.

*5. The rent includes £..... per week for rates borne by the landlord.

*6. The rent also includes £..... per week for services or furniture.

*7. The rent further includes £..... per week for improvements.

8. If you think the landlord is not entitled to the rent being charged, you can apply to the county court to settle the matter.

9. If the rent includes a charge for services or furniture, appropriate adjustments to the charge can be agreed between you and the landlord or, if agreement cannot be reached, decided by the county court.

10. Documents authorised or required by Part V of the Rent Act 1968 to be served by you on the landlord may be served on the agent (if any) named above or on the person who receives the rent. If the full name and address or place of business of the landlord is required because you want to take proceedings against him, the agent or the person who receives the rent must give you that information if you ask him for it in writing.

(**a**) S I. 1965/1933 (1965 III, p. 5789).

*These entries must be kept up to date where appropriate.

11. Your tenancy will cease to be controlled:—

(*a*) if the local authority issue a qualification certificate certifying that the premises let to you have all the standard amenities for your exclusive use and are in good repair and fit for human habitation, or

(*b*) after the applicable date (see paragraph 13 below) for the premises let to you, provided they have not been notified as unfit for human habitation under certain specific provisions. Further information about this can be obtained from your local council offices.

12. When your tenancy ceases to be controlled:—

(*a*) if the premises are used solely for purely residential purposes, the tenancy will become regulated, and your security of tenure rights will not be affected;

(*b*) if the premises are occupied for mixed business and residential use, the tenancy will come under the code of protection provided by Part II of the Landlord and Tenant Act 1954.

13. The applicable date is determined by the rateable value on 31st March 1972 of the premises let:-

Rateable value at 31st March 1972		Applicable date
Greater London	Elsewhere in England and Wales	
£95 or more	£60 or more	1 January 1973
£80 to £94	£45 to £59	1 July 1973
£70 to £79	£35 to £44	1 January 1974
£60 to £69	£25 to £34	1 July 1974
£50 to £59	£20 to £24	1 January 1975
Less than £50	Less than £20	1 July 1975

(The Secretary of State has power to vary these dates)

14. The rateable value on 31st March 1972 of the premises let was £.....

SECURITY OF TENURE

15. Your landlord cannot evict you without a court order which, except in certain special cases, will be granted only if the court thinks it reasonable to do so and either there is suitable accommodation for you to go to or one of a limited number of conditions is satisfied (for example, you have failed to pay rent or you or your family have been a nuisance or annoyance to neighbours).

16. It is a criminal offence for your landlord or anyone else to try to make you leave by using force, by harassing you or your family or by interfering with your home or your possessions unless authorised by the Court. If anyone does this, you should complain to your local authority.

RENT ALLOWANCES

17. A tenant who has difficulty in affording his rent may apply to his local authority for a rent allowance. When the rent is payable weekly, the landlord is obliged to insert in this rent book a leaflet describing your local authority's

rent allowance scheme; he is obliged to do this by 30th June 1973, and whenever a new rent book is issued. If the leaflet is not already in this book, it can be obtained from your local council offices, where you can also get a leaflet on rate rebates if you so request.

PART II

RENT BOOK FOR REGULATED TENANCY

Form of notice to be included in every rent book or other similar document used in connexion with a regulated tenancy under which the rent is payable weekly.

INFORMATION FOR TENANT

1. Address of premises .....
2. Name and address of landlord .....
3. Name and address of agent (if any).....

*4. The rent inclusive of/exclusive of † rates is £..... per week.

If a fair rent is registered, paragraph 5 and, where they apply, paragraphs 6 and 7 must be filled in.

*5. The registered rent (which excludes rates) is £..... per week.
The word "variable" should be added after the amount of registered rent if the register entry permits the landlord to vary the rent to take account of changes in the cost of providing services or maintaining or repairing the premises in accordance with the terms shown in the register without having to get a new rent registered.

*6. As a result of the provisions for phasing certain rent increases following the registration of a fair rent, the maximum rent (exclusive of rates) which the landlord may charge is £..... per week.

*7. In addition to the registered rent £..... per week is payable by way of rates borne by the landlord.

IF A RENT HAS NOT BEEN REGISTERED

8. You or your landlord or both of you acting together may at any time apply to the Rent Officer to have a fair rent registered for the premises. Where no rent is registered, the Rent Act 1968 permits limited increases in the rent, for example, following rate increases or improvements. It also permits you and the landlord to agree other rent increases, but such agreements must be in writing and signed by both you and the landlord, and must contain the following explanation which must be at the head of the agreement and must be in characters not less conspicuous than those used elsewhere in the agreement:

(i) your security of tenure under the Rent Act will not be affected if you refuse to enter into an agreement,
and

(ii) entry into an agreement will not deprive you or the landlord of the right to apply at any time to the rent officer for the registration of a fair rent;

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† Strike out whichever is inapplicable.
*These entries must be kept up to date where appropriate.

there are other requirements if the tenancy has been converted from rent control or if grant-aided improvement works have been carried out. Your local council or a Citizens' Advice Bureau will be able to give you further information and tell you the address of the rent officer.

IF A RENT HAS BEEN REGISTERED

9. The landlord may not charge more rent (exclusive of rates) than is shown on the register, or, if a rent increase is being phased, more than is permitted under the relevant phasing provisions. He may add to this the amount of the rates he pays for the premises if there is a note on the register to say that he pays the rates. In certain special cases the registered rent may vary to take account of the changes in the cost of providing services or maintaining or repairing the premises, but only if this is shown by a note on the register.

10. The registered rent cannot be changed without applying to the Rent Officer. For three years after the registration takes effect no new application can be made except by you and the landlord acting together or where there has been a change in the circumstances taken into account when the rent was registered—for example a change in the terms of the tenancy or in the state of repair of the premises.

11. Further information on rents of regulated tenancies is set out in a booklet on this subject available free of charge at rent offices, Citizens' Advice Bureaux and local Council offices.

SUB-LETTING

12. If you sub-let part of the premises and you are not permitted to do this under your tenancy agreement, your landlord may apply to the county court for an order to evict you.

13. If you sub-let part of the premises unfurnished on a tenancy which is also regulated under the Rent Act 1968—

(*a*) you must give the landlord, within 14 days, a statement in writing of the sub-letting, giving particulars of occupancy, including the rent charged. The penalty for failing to do this without reasonable excuse, or for giving false particulars, is a fine not exceeding £10. When you have once given the landlord the particulars, you need not do so again if the only change is a change of sub-tenant.

(*b*) if you overcharge your sub-tenant, the landlord may apply to the county court for an order to evict you.

SECURITY OF TENURE

14. Your landlord cannot evict you without a court order which, except in certain special cases, will be granted only if the court thinks it reasonable to do so and either there is suitable accommodation for you to go to or one of a limited number of conditions is satisfied (for example, you have failed to pay rent or you or your family have been a nuisance or annoyance to neighbours).

15. It is a criminal offence for your landlord or anyone else to try to make you leave by using force, by harassing you or your family or by interfering with your home or your possessions unless authorized by the Court. If anyone does this, you should complain to your local authority.

RENT ALLOWANCES

16. A tenant who has difficulty in affording his rent may apply to his local authority for a rent allowance. When the rent is payable weekly, the landlord is obliged to insert in this rent book a leaflet describing your local authority's rent allowance scheme; he is obliged to do this by 30th June 1973, and whenever a new rent book is issued. If the leaflet is not already in this book, it can be obtained from your local council offices, where you should also be able to obtain a leaflet on rate rebates if you require one.

PART III

RENT BOOK FOR FURNISHED LETTINGS

Form of notice to be inserted in every rent book or other similar document used in connexion with a contract to which Part VI of the Rent Act 1968 (furnished lettings) applies and under which the rent is payable weekly.

INFORMATION FOR TENANT

1. Address of premises .....

2. Name and address of landlord .....

3. Name and address of agent (if any).....

4. The rent is £..... per week.

5. Description of premises occupied under the contract.....

6. Particulars of the accommodation which the occupier has a right to share with other persons.....

7. Other terms and conditions of the contract (if any) .....

[8. A rent of £..... per week for the premises comprised in the contract was approved by the Rent Tribunal on.....]. Strike out words in square brackets if they do not apply.

[8. The rent for the premises comprised in the contract was reduced by the Rent Tribunal to £..... on.....].

[8. Neither the contract nor any other contract relating to the premises has been referred to a Rent Tribunal].

9. If you think that your rent is too high you or the local council may ask the Rent Tribunal to fix a reasonable rent. If your landlord tries to bring your tenancy to an end by giving you notice to quit the Tribunal may postpone the operation of the notice for 6 months at a time. You can find out about this from the Tribunal. Your local council or a Citizens' Advice Bureau will tell you the address.

10. When the Rent Tribunal fix a rent it is entered on a register which is kept by your local council and which you are entitled to inspect. Once a rent for the premises is entered on this register it is an offence for the landlord to let them furnished at a rent higher than that on the register. If once a rent has been registered circumstances change so as to make that rent no longer a reasonable one (for example, if more or less furniture is provided by the landlord) either you or the landlord or the local council may ask the Rent Tribunal to fix a new rent.

11. It is a criminal offence for your landlord or anyone else to try to make you leave by using force, by threatening you or your family or by interfering with your home or your possessions unless authorised by the Court. If anyone does this, you should complain to the police or to your local council. You cannot be made to leave without a court order.

28th November 1972.

Geoffrey Rippon,
Secretary of State for the Environment.

EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

Under the provisions of section 1 of the Landlord and Tenant Act 1962, where a person has the right to occupy any premises as a residence in consideration of a rent which is payable weekly, it is the duty of the landlord to provide a rent book or other similar document for use in respect of the premises.

These regulations, which supersede the Rent Book (Forms of Notice) Regulations 1965, revise the forms of notice which, under the Landlord and Tenant Act 1962 (as amended by the Rent Act 1968), are to be inserted in rent books or other similar documents provided in pursuance of the Act of 1962 in the cases of—

(1) premises which are a dwelling-house let on or subject to a controlled tenancy; and

(2) premises which are a dwelling-house let on or subject to a regulated tenancy.

These regulations also prescribe the form of notice to be inserted in rent books or other similar documents provided in pursuance of the Act of 1962 in the case of premises occupied by virtue of a contract to which Part VI of the Rent Act 1968 (furnished lettings) applies. This form is identical with that prescribed by the Regulations of 1965, except for the substitution of an appropriate reference to the Rent Act 1968.

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